# EXECUTIVE SUMMARY - ENFORCEMENT MATTER DOCKET NO.: 2008-0877-AIR-E TCEQ ID: RN104802079 CASE NO.: 35960 RESPONDENT NAME: BIG CITY CRUSHED CONCRETE, L.P.

ORDER TYPE:	· · · · · · · · · · · · · · · · · · ·	<del>define a la constanti de la c</del>
X 1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING
FINDINGS DEFAULT ORDER	_SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
AMENDED ORDER	EMERGENCY ORDER	·
CASE TYPE:		
_X_AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL HAZARDOUS WASTE
PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION
TYPE OF OPERATION: portable concrete  SMALL BUSINESS: Yes X  OTHER SIGNIFICANT MATTERS: There facility location.  INTERESTED PARTIES: No one other that COMMENTS RECEIVED: The Texas Reg.  CONTACTS AND MAILING LIST: TCEQ Attorney: Ms. Anna M. Tree	No e are no complaints. There is no record of addition the ED and the Respondent expressed an interister comment period expired October 5, 2009. eadwell, Litigation Division, MC 175, (512) 23	onal pending enforcement actions regarding this erest in this matter.  No comments were received.
TCEQ Enforcement Coordinator: TCEQ Regional Contact: Mr. Joel Respondent: Mr. Mason C. Brown, 75230	ss, Litigation Division, MC 175, (512) 239-001 Ms. Trina Grieco, Air Enforcement Section, M Anderson, San Antonio Regional Office, MC III, Vice President, Big City Crushed Concrete M. Birch, 7000 North MoPac Expressway, Pla	MC R-13, (210) 403-4006 R-13, (210) 403-4010 e, L.P., 5900 Willow Lane, Dallas, Texas

## RESPONDENT NAME: BIG CITY CRUSHED CONCRETE DOCKET NO.: 2008-0877-AIR-E

VIOLATION SUMMARY CHART:						
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED				
Type of Investigation:	Total Assessed: \$5,600	Corrective Actions Taken: The Executive Director recognizes that the Respondent ceased				
Complaint X Routine Enforcement Follow-up Records Review	Total Deferred: \$0 Expedited Order Financial Inability to Pay SEP Conditional Offset	operations of the crusher on March 24, 2008 and moved the crusher to a new location with a Tier II authorization.				
Date of Complaint Relating to this Case: None	Total Paid to General Revenue: \$5,600					
Date of Investigation Relating to this Case: March 19-21, 2008	The Respondent paid the administrative penalty in full.					
Date of NOE Relating to this Case: May 20, 2008	Site Compliance History Classification: High X Average Poor					
Background Facts: The EDPRP was filed November 4, 2008. The Respondent filed an answer and the case was referred to SOAH. Settlement was achieved and a signed	Person Compliance History Classification: High X Average Poor					
Agreed Order was received on July 31, 2009.	Major Source: Yes X No					
Current Compliance Status:  No outstanding Technical Requirements.	Applicable Penalty Policy: September 2002					
AIR:  1. Failed to maintain the water spray system in good working condition and apply water to the fines stockpile in order to minimize emissions and failing to minimize emissions from all in-plant roads [30 Tex. Admin. Code § 116.115(a), 116.615(2) and 116.615(9), Standard Permit General Conditions 1(I) and 1(J), and Tex. Health & Safety Code § 382.085(b)].  2. Failed to equip conveyors with a half-moon or equivalent enclosure to minimize emissions and failing to limit opacity to 10 percent from any transfer point on belt conveyors or any screen [30 Tex. Admin. Code § 116.115(a), 116.615(2) and 116.615(9), Standard Permit General Conditions 1(E) and 1(G), and Tex. Health & Safety Code § 382.085(b)].						
3. Failed to limit throughput to 125 tons per hour. Specifically, records provided indicated that for 162 hours, from February 15 to March 24, 2008 the average hourly throughput rate was approximately 132 tons [30 Tex. Admin. Code § 116.115(a), 116.615(2) and 116.615(9), Standard Permit General Conditions 2(B), and Tex. Health & Safety Code § 382.085(b)].						

## RESPONDENT NAME: BIG CITY CRUSHED CONCRETE DOCKET NO.: 2008-0877-AIR-E

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VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
4. Failed to install permanently mounted spray bars on the transfer point, in the middle, or on the terminal end of the Kolberg TeleStacker conveyor and to limit the number of conveyors on-site to two [30 Tex. ADMIN. CODE § 116.115(a), 116.615(2) and 116.615(9), Standard Permit General Conditions 1(H) and 2(D), and Tex. Health & Safety Code § 382.085(b)].		
5. Failed to maintain records of hours of operation, including daily start and stop times for a rolling 24 month period [30 Tex. ADMIN. CODE § 116.115(a), 116.615(2) and 116.615(9), Standard Permit General Conditions 1(M)(i), and Tex. Health & Safety CODE § 382.085(b)].		-
6. Failed to notify the appropriate regional office in writing at least 10 calendar days prior to locating at the site [30 Tex. ADMIN. CODE § 116.115(a), 116.615(2) and 116.615(9), Standard Permit General Conditions 2(H), and Tex. Health & Safety Code § 382.085(b)].	. •	
7. Failed to prevent the location and operation of a crusher to the same site as any concrete batch plant [30 Tex. ADMIN. CODE § 116.115(a), 116.615(2) and 116.615(9), Standard Permit General Conditions 2(E), and Tex. Health & Safety Code § 382.085(b)].		•
•		
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Policy Revision 2 (Sept	Penalty Calculatio	on Worksheet (P		n October 30, 2008
TCEQ		Section 19	e and a second s	Tall the state of
DATES Assigned PCW	19-May-2008 9-Jul-2009 <b>Screening</b> 28-May-2008	B EPA Due N/A		
RESPONDENT/FACILITY				
	Big City Crushed Concrete, L.P.			
Reg. Ent. Ref. No.		Major/Minor Source	Minor	
Facility/Site Region	4-Dallas/Fort Worth	iviajor/wirrior Source	· ·	
CASE INFORMATION				
Enf./Case ID No.	35960	No. of Violations		
1	2008-0877-AIR-E	Order Type Government/Non-Profit		<del></del>
Media Program(s) Multi-Media	AIT	Enf. Coordinator		
mun-media <sub>[</sub>			Enforcement Team 5	
Admin. Penalty \$ L	imit Minimum \$0 Maximum	\$10,000		
	Penalty Calcul	ation Section		
TOTAL BASE PENAL	TY (Sum of violation base penalti	les)	Subtotal 1	\$5,600
ADJUSTMENTS (+/-)	TO SUPTOTAL 1			
Subtotals 2-7 are obtain	ned by multiplying the Total Base Penalty (Subtotal 1) b	by the indicated percentage.		ever i la dividenta
Compliance Histo		& Enhancement Subt	otals 2, 3, & 7	\$0
Notes	No penalty enhancement is recommende History.	d due to lack of Compliance		
	No. 10 and 10 an		Subtotal 4	\$0
Culpability	No 0.0%	6 Enhancement	Subjuitary	, . ψυ
Notes	The Respondent does not meet the	ne culpability criteria.		•
Good Faith Effort	to Comply Total Adjustments		Subtotal 5	\$0
Economic Benefi		6 Enhancement* ed at the Total EB \$ Amount	Subtotal 6	\$0
SUM OF SUBTOTALS	S 1-7	ř	Final Subtotal	\$5,600
	S JUSTICE MAY REQUIRE ubtotal by the indicated percentage.	0.0%	Adjustment	\$0
Notes				
		Final Per	nalty Amount	\$5,600
STATUTORY LIMIT A	DJUSTMENT	Final Assè	essed Penalty	\$5,600
DEFERRAL Reduces the Final Assessed Pen	ally by the indicted percentage. (Enter number only; e	0.0% Reduction g. 20 for 20% reduction.)	Adjustment	\$0
Notes	Deferral not offered for non-exp			
PAYABLE PENALTY				\$5,600

Screening Date 28-May-2008

Docket No. 2008-0877-AIR-E

PCW

Respondent Big City Crushed Concrete, L.P.

Case ID No. 35960

Reg. Ent. Reference No. RN104802079

Media [Statute] Air

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Enf. Coordinator Trina Grieco

Policy Revision 2 (September 2002)
PCW Revision October 30, 2008

Component	Number of	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0 .	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission		0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government		0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
, radito	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
	Pleas	se Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Olifei	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment P	ercentage (Su	btotal 2)
t Violator (Su			
No	Adjustment P	ercentage (Su	btotal 3)
liance History	Person Classification (Subtotal 7)		
Average P	erformer Adjustment Po	ercentage (Su	btotal 7)
liance History	y Summary		
Compliance History Notes	No penalty enhancement is recommended due to lack of Compliance History.		

Screening Date 2	28-May-2008	Docket No. 2008-0877-AIR	-E PCW
Respondent B	Big City Crushed Concrete, L	P.	Policy Revision 2 (September 2002)
Case ID No. 3			PCW Revision October 30, 2008
Reg. Ent. Reference No. R			
Media [Statute] A			
Enf. Coordinator ⊤ Violation Number	rina Grieco		and the second s
<u> -</u>			
Rule Cite(s)		16.115(a) and 116.615(2) and (9), Standard and 1(J) and Tex. Health & Safety § 382.0	
	Containing 1(1);	and Noyana year health a callety 3 collect	
		r spray system in good working condition a	
Violation Description	the fines stockpile in order t	<ul> <li>o minimize emissions and failed to minimiz all in-plant roads.</li> </ul>	e emissions from ·
		an in-plant rodgs.	
			Base Penalty \$10,000
			Dase 7 charty 410,000
>> Environmental, Property and	l Human Health Matrix		
D-1	Harm Major Madarata	Minor	
Release Actual	Major Moderate	Minor	
Potential		Percent	10%
>>Programmatic Matrix			
Falsification	Major Moderate	Minor Percent	0%
		Percent	
The state of the s		exposed to insignificant amounts of contam levels as a result of the violation.	inants that did not
Notes	exceed protective	e levels as a result of the violation.	
		**************************************	
		Adjustment	\$9,000]
			\$1,000
adaptinasis da da National particular de la companya de la company	= 1, − 2 t trip minopolymory w 1 = 1 to morning some contributing agrifystant/90		Control of the control of the property control of the control of t
Violation Events			
Number of Viol	ation Events 1	38 Number of viola	tion days
Number of viola	ation Events		aon dayo
	daily		
3	weekly		
mark only one	monthly	Violat	ion Base Penalty \$1,000
with an x	quarterly x semiannual	Violat	ion base i enaity \$1,000
	annual		
	single event		
One quarterly e		the date operations commenced (February	15, 2008) to the
	date the opera	tions ceased (March 24, 2008).	
1	Wanting and the control of the contr		
Good Faith Efforts to Comply	All And March and All Control of the	Reduction	\$0
_	Before NOV	NOV to EDPRP/Settlement Offer	
<u>.</u>	Ordinary		q = q
•	·	(mark with x)	
	Notes The Respond	dent does not meet the good faith criteria fo violation.	r this
		violation.	
			21000
		V	iolation Subtotal \$1,000
Economic Benefit (EB) for this v	violation	Statutory Li	nit Test
i Parasidani Pamadalan menengia yi ini yi malaladi Salbanda VC - Na Milad Ayran da 19 yang melan yanda sa sa C			
Estimated	EB Amount	\$10 Violation Fi	nal Penalty Total \$1,000
	7	his violation Final Assessed Penalty (ac	justed for limits) \$1,000

			Benefit W	مالده	shoot		
	ni saliwana na silawilati.		penent w	OLKS	sueer		in morte/is/elle
Respondent	Big City Crushe	d Concrete, L.P.					
Case ID No	35960						
Reg. Ent. Reference No	. RN104802079						
Media							Years of
Violation No.						Percent Interest	Depreciation
Violation No.		Berkeley Com	emuningaristic.				- 45° 1 78°1 11.5
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Market of the Committee of						- ' '	
Delayed Costs				7. T.			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	ALEXT n/a. MAN	\$0
Record Keeping System				0.00	\$0	is y a n/ax strak	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	DESCRIPTION OF PERSONS AND ADDRESS AND	0.0
	<u> </u>		t	0.00		n/a	\$0
Other (as needed)	\$2,000	15-Feb-2008	24-Mar-2008	0.10	\$10	n/a	\$10
Notes for DELAYED costs	Estimated cos and to spray a date is the d	t to maintain the v nd maintain all in- ate the Responde	water spray system plant roads. The d ant ceased Tier I cru	in good ate requushing a	\$10 I working condition uired is the date op activities and remo	apply water to the terations commence ved the equipment fi	\$10 fines stockpile d and the final rom the site.
Notes for DELAYED costs  Avoided Costs	Estimated cos and to spray a date is the d	t to maintain the v nd maintain all in- ate the Responde	water spray system plant roads. The d ant ceased Tier I cru	in good ate requushing a	\$10 If working condition uired is the date opactivities and removativities and removativities for except for e	n, apply water to the perations commence wed the equipment for the control one-time avoided cone-time	\$10 fines stockpile d and the final rom the site.
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Notes for DELAYED costs  Avoided Costs  Disposal  Personnel  Inspection/Reporting/Sampling	Estimated cos and to spray a date is the d	t to maintain the v nd maintain all in- ate the Responde	water spray system plant roads. The d ant ceased Tier I cru	in good ate requishing a ntering 0.00 0.00 0.00	\$10  If working condition uired is the date operactivities and removalitem (except for \$0 \$0 \$0	n, apply water to the terrations commence ved the equipment from time avoided commence so so so so so	\$10 fines stockpile d and the final from the site.  psts) \$0 \$0 \$0 \$0
Notes for DELAYED costs  Avoided Costs  Disposal  Personnel  Inspection/Reporting/Sampling  Supplies/equipment	Estimated cos and to spray a date is the d	t to maintain the v nd maintain all in- ate the Responde	water spray system plant roads. The d ant ceased Tier I cru	in good ate requ ushing a ntering 0.00 0.00 0.00 0.00	\$10  I working condition uired is the date opactivities and remo  Item (except for a solution solution) \$0 \$0 \$0 \$0 \$0	n, apply water to the perations commence wed the equipment from the eq	\$10 fines stockpile d and the final om the site.  posts)  \$0  \$0  \$0  \$0
Notes for DELAYED costs  Avoided Costs  Disposal  Personnel  Inspection/Reporting/Sampling  Supplies/equipment  Financial Assurance [2]	Estimated cos and to spray a date is the d	t to maintain the v nd maintain all in- ate the Responde	water spray system plant roads. The d ant ceased Tier I cru	0.10 in good ate requishing a ntering 0.00 0.00 0.00 0.00 0.00	\$10  I working condition uired is the date opactivities and removitem (except for except	a, apply water to the perations commence wed the equipment from some some some some some some some so	\$10 fines stockpile d and the final rom the site.  psts)  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$
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Notes for DELAYED costs  Avoided Costs  Disposal  Personnel  Inspection/Reporting/Sampling  Supplies/equipment  Financial Assurance [2]	Estimated cos and to spray a date is the d	t to maintain the v nd maintain all in- ate the Responde	water spray system plant roads. The d ant ceased Tier I cru	0.10 in good ate requishing a ntering 0.00 0.00 0.00 0.00 0.00	\$10  I working condition uired is the date opactivities and removitem (except for except	a, apply water to the perations commence wed the equipment from some some some some some some some so	\$10 fines stockpile d and the final rom the site.  psts)  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs  Avoided Costs  Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated cos and to spray a date is the d	t to maintain the v nd maintain all in- ate the Responde	water spray system plant roads. The d ant ceased Tier I cru	0.10 in good ate requishing a ntering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$10  If working condition uired is the date operativities and removativities and removati	a, apply water to the perations commence wed the equipment frome-time avoided commence so	\$10 fines stockpile d and the final rom the site.  psts)  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$
Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Estimated cos and to spray a date is the d	t to maintain the v nd maintain all in- ate the Responde	water spray system plant roads. The d ant ceased Tier I cru	0.10 in good ate requishing a ntering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$10  If working condition uired is the date operativities and removativities and removati	a, apply water to the perations commence wed the equipment frome-time avoided commence so	\$10 fines stockpile d and the final rom the site.  psts)  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$
Notes for DELAYED costs  Avoided Costs  Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated cos and to spray a date is the d	t to maintain the v nd maintain all in- ate the Responde	water spray system plant roads. The d ant ceased Tier I cru	0.10 in good ate requishing a ntering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$10  If working condition uired is the date operativities and removativities and removati	a, apply water to the perations commence wed the equipment frome-time avoided commence so	\$10 fines stockpile d and the final rom the site.  psts)  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$
Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Estimated cos and to spray a date is the d	t to maintain the v nd maintain all in- ate the Responde	water spray system plant roads. The d ant ceased Tier I cru	0.10 in good ate requishing a ntering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$10  If working condition uired is the date operativities and removativities and removati	a, apply water to the perations commence wed the equipment frome-time avoided commence so	\$10 fines stockpile d and the final rom the site.  psts)  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$
Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Estimated cos and to spray a date is the d	t to maintain the v nd maintain all in- ate the Responde	water spray system plant roads. The d ant ceased Tier I cru	0.10 in good ate requishing a ntering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$10  If working condition uired is the date operativities and removativities and removati	a, apply water to the perations commence wed the equipment frome-time avoided commence so	\$10 fines stockpile d and the final rom the site.  psts)  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$
Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Estimated cos and to spray a date is the d	t to maintain the v nd maintain all in- ate the Responde	water spray system plant roads. The depart ceased Tier I crued costs before el	0.10 in good ate requishing a ntering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$10  If working condition uired is the date operativities and removativities and removati	a, apply water to the perations commence wed the equipment frome-time avoided commence so	\$10 fines stockpile d and the final rom the site.  psts)  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$

Screening Da	te 28-May-2008			Docket No. 2008-087	7-AIR-E	PCW
Responde	ent Big City Crush	ed Concrete,	L.P.		Policy I	Revision 2 (September 2002)
Case ID N					PCI	V Revision October 30, 2008
Reg. Ent. Reference N		)				
Media [Statu						
Enf. Coordina		1				
Violation Num						<b>a</b>
Rule Cite	30 Tex. Admi			116.615(2), Standard Per Health & Safety § 382.085		
Violation Descript	and failed to	limit opacity	to 10 percent city was docur	on or equivalent enclosure from any transfer point on mented at 39 percent durir æstigation.	belt conveyors or any	
					Base Penalty	\$10,000
>> Environmental, Property	and Human H	ealth Matri Harm	<b>X</b>			
Relea	aseMajor	Moderate	Minor			
OR Act	ual		X	]		
Poter	tial			Percent	10%	
>>Programmatic Matrix						
Falsification	on Major	Moderate	Minor	Percent	0%	
			<u> </u>		0%	•
						1
LATER AND ADVANCED				nsignificant amounts of co	ntaminants that did not	
Notes	ex	ceed protectiv	ve levels as a	result of the violation.		
						1
				Adjustmen	t \$9,000	]
				•		64.000
and the second s						\$1,000
Violation Events						
1 Committee of the Comm	f Violation Events	1	The second secon	38 Number o	f violation days	
	يا -		<u>.</u>			
	dàily weekly					
mark only or	monthly e quarterly	X		,	Violation Base Penalty	\$1,000
with an x	semiannual				Violation Dase i enalty	ψ1,000
	annual					
	single event					
	<ul> <li>Links on New For Tennil (Time) in I</li> </ul>		<u> </u>			_
One quarter	ly event is recomn	ended from the	ne date oners	tions commenced (Februa	any 15, 2008) to the date	
One quarter	ry event is reconfill			arch 24, 2008).	, ,0, 2000) to the date	***************************************
Good Faith Efforts to Comp		0.0%	Reduction			\$0
Good Faith Endits to Comp		Before NOV		P/Settlement Offer		Ψ0
· ·	Extraordinary					
	Ordinary					
***	N/Á	Х	(mark with x)	<del></del>		
			<u> </u>			
	Notes	The Respon	ndent does no	ot meet the good faith crite violation.	eria for this	
	Į.				Violetic - Culti-t-1	P4 000
					Violation Subtotal	\$1,000
Economic Benefit (EB) for t	his violation			Statutoi	y Limit Test	
DOSENJA (L. D. D. M. M.)			and the state of t	COLTA DESIGNATION CONTINUE AND DESIGNATION OF THE COLORS PRODUCTION	M. T. Miller (March 1964) (1964) (1964) (1964) (1964) (1964) (1964) (1964) (1964) (1964) (1964) (1964) (1964)	VALUE OF THE PROPERTY OF THE P
Estim	ated EB Amount		\$8	Violati	ion Final Penalty Total	\$1,000
			This violation	on Final Assessed Penal	ty (adjusted for limits)	\$1,000
		TARAMENTAL				

	E	conomic	Benefit W	orks	sheet		
Respondent			<b>9</b> 0.10.11, 77				antilling statistics.
Case ID No.		od Coriorcio, E.i					
Reg. Ent. Reference No.							
							Years of
Media						Percent Interest	TOOLS OF STREET AT THE STREET
Violation No.	2	ran armanda, al la como	gargina ninanani.		eng. en en e.		Depreciation
					한테니다 얼마 됐다.	5.0	15
Substraction of the second	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or S			and Maria			
item Description	140 CONTINES OF S	· · · · · · · · · · · · · · · · · · ·	A Company of the Company	. !			and the second
en en en e balanca de ete	and the state	eranten in in er	recommendador	a jak	in weak pay nor	ryang bis situ, ya tu	aren huta
Delayed Costs		Assessa (Countries		0.00	I \$0	\$0	<b>\$</b> 0
Equipment Buildings		ļ		0.00	\$0	\$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a#s/	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	in/a site	\$0
Permit Costs				0.00	\$0	n/a//	\$0
Other (as needed)	\$1,000	15-Feb-2008	24-Mar-2008	0.10	\$5	Recorded in/a from the	\$5
Notes for DELAYED costs	opacity to 1	0 percent from any	transfer point on b	eit conv date the	eyors or any scree	e to minimize emissi en. The date require sed Tier I crushing a	d is the date
Avoided Costs	ANN	IUALIZE [1] avoid	ed costs before er	ntering	item (except for	one-time avoided c	osts)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$1,000	<u> </u>		TOTAL		\$5

Screening Date	≥ 28-May-2008	Docket No. 2008-087	7-AIR-E	PGW.
Responden	t Big City Crushed Concrete, L	.P.	Policy Re	evision 2 (September 2002)
Case ID No	. 35960		PCW	Revision October 30, 2008
Reg. Ent. Reference No	. RN104802079			
Media [Statute	] Air			
Enf. Coordinator	r Trina Grieco			
Violation Numbe				
Rule Cite(s	I So Lex. Wallill Code 33 Lt	3.115(a) and 116.615(2), Standard Pe and Tex. Health & Safety § 382.085(b		
Violation Description		25 tons per hour. Specifically, record 15 to March 24, 2008, the average ho approximately 132 tons.		
Ŷ: →			Base Penalty	\$10,000
>> Environmental, Property a	nd Human Health Matrix			* *
	Harm	inalla dabira dikumusika nyay diatriandani di nyaéta atau kelenda at humin bapapa, in pambabat ni makabat dian dian dian dian dian dian dian dian	Collection and the second of the restrict of the second of	
Release		Minor		
OR Actua		X	10%	
Potentia	.1	Percent	10/0	
>>Programmatic Matrix				
Falsification	Major Moderate	Minor		
		Percent	0%	*** **
			······································	
Matrix Human health	or the environment has been	exposed to insignificant amounts of co	ontaminants that did not	
Notes Notes		levels as a result of the violation.	The state of the s	
	,			
		Adjustmen	\$9,000	
		Adjustiller	ψο,οοο	
				\$1,000
Violation Events		的思想是各种的人名的思想是自己的		
Number of V	/iolation Events 1	38 Number o	f violation days	
Trainesi si s	Colon 270110			
	daily			
Taxable Control of the Control of th	weekly			
mark only one	monthly			#4 000
with an x	quarterly x		Violation Base Penalty	. \$1,000
	semiannual annual			
	single event			
				***************************************
One questority	event is recommended from the	e date operations commenced (Februa	any 15, 2008) to the date	***************************************
One quarterly		ceased (March 24, 2008).	ary 10, 2000) to the date	***************************************
Good Faith Efforts to Comply	0.0%	Reduction		\$0
	Before NOV	NOV to EDPRP/Settlement Offer		
	Extraordinary		•	
·	Ordinary			
Constitution of the Consti	N/A x	mark with x)		
WAR DEPOSITOR OF THE PARTY OF T	The Respon	dent does not meet the good faith crite	eria for this	
A PARTICIPATION AND A PART	Notes	violation.		
***************************************		·	Violation Subtotal	\$1,000
			. io.a.ioii oabtotai	ψ1,300
Economic Benefit (EB) for thi	s violation	Statuto	ry Limit Test	
California (A. Michael California and California an		001	a a	The same shall
Estimate	ed EB Amount	\$3 Violat	ion Final Penalty Total	\$1,000
		This violation Final Assessed Pena	Ity (adjusted for limits)	\$1,000
Incomparison caree against property and interest and interest and in-	AND THE RESIDENCE OF THE PROPERTY OF THE PROPE		errent de la companya de la company	an Mining Panggarak Benggapangan panggan Panggaran Pengga

	35960	ed Concrete, L.P.				r,	
Reg. Ent. Reference No							
Reg. Em. Reference No.							Years of
Violation No						Percent Interest	Depreciation
Violation No	<b>).</b> 3	r i sa sereti ar i i i i	August Bright		a page optimilar je		
		100 mm 100 mm 100 mm 100 mm				5.0	15
함께질, 당하는 네는 네는 네트	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	n No commas or \$			* H2 1 12 1			
Delayed Cost	s			olde e e			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	#NAME in/a district	\$0
Record Keeping System				0.00	\$0	u a a n/a	\$0
T 1 - 1 10 11				0.00	\$0	in/a in/a	\$0
Training/Sampling	L						
Remediation/Disposal				0.00	\$0	n/a	\$0
				0.00	\$0	n/a.F.	\$0
Remediation/Disposal Permit Costs Other (as needed)				0.00 0.10 limit thro	\$0 \$3 oughput to 125 ton	n/a n/a s per hour. The date	\$0 \$3 e required is the
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs	Estimated cost date operatio	to implement mea ns commenced an	sures designed to d the final date is the removed the e	0.00 0.10 limit thro he date equipme	\$0 \$3 pughput to 125 ton the Respondent con ent from the site.	s per hour. The date	\$0 \$3 e required is the g activities and
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs  Avoided Cost	Estimated cost date operatio	to implement mea ns commenced an	sures designed to d the final date is the removed the e	0.00 0.10 limit thro he date equipme	\$0 \$3 bughput to 125 ton the Respondent cont ent from the site.	s per hour. The date	\$0 \$3 e required is the g activities and
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Cost Disposal	Estimated cost date operatio	to implement mea ns commenced an	sures designed to d the final date is the removed the e	0.00 0.10 limit through date equipmentering 0.00	\$0 \$3 bughput to 125 ton the Respondent con the from the site.	s per hour. The date assed Tier I crushing one-time avoided c	\$0 \$3 e required is the g activities and osts)
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Cost Disposal Personnel	Estimated cost date operatio	to implement mea ns commenced an	sures designed to d the final date is the removed the e	0.00 0.10 limit through date equipmentering 0.00 0.00	\$0 \$3  bughput to 125 ton the Respondent cont from the site.  item (except for a \$0 \$0	s per hour. The date eased Tier I crushing one-time avoided c	\$0 \$3 e required is the g activities and osts) \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  AVOIDE COST Disposal Personnel Inspection/Reporting/Sampling	Estimated cost date operatio	to implement mea ns commenced an	sures designed to d the final date is the removed the e	limit throthe date equipmentering	\$0 \$3 bughput to 125 ton the Respondent con the from the site.	s per hour. The date assed Tier I crushing one-time avoided c	\$0 \$3 e required is the g activities and osts)
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	Estimated cost date operatio	to implement mea ns commenced an	sures designed to d the final date is the removed the e	0.00 0.10 limit through date equipmentering 0.00 0.00	\$0 \$3  bughput to 125 ton the Respondent control from the site.  item (except for a \$0 \$0 \$0 \$0	s per hour. The date cased Tier I crushing cone-time avoided c \$0 \$0 \$0 \$0	\$0 \$3 e required is the g activities and osts) \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	Estimated cost date operatio	to implement mea ns commenced an	sures designed to d the final date is the removed the e	limit through the date equipme ntering 0.00 0.00 0.00 0.00	\$0 \$3 bughput to 125 ton the Respondent con the from the site. item (except for a \$0 \$0 \$0 \$0	s per hour. The date eased Tier I crushing one-time avoided c \$0 \$0 \$0 \$0 \$0	\$0 \$3 e required is the g activities and osts) \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	Estimated cost date operatio	to implement mea ns commenced an	sures designed to d the final date is the removed the e	0.00 0.10  limit throw the date equipme  ntering 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$3  bughput to 125 ton the Respondent count from the site.  item (except for a solution so	s per hour. The date eased Tier I crushing one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$3 e required is the g activities and osts) \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated cost date operatio	to implement mea ns commenced an	sures designed to d the final date is the removed the e	0.00 0.10 limit throthe date equipme ntering 0.00 0.00 0.00 0.00 0.00	\$0 \$3  bughput to 125 ton the Respondent control from the site.    SO \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	s per hour. The date eased Tier I crushing one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$3 e required is the g activities and osts) \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Estimated cost date operatio	to implement mea ns commenced an	sures designed to d the final date is the removed the e	0.00 0.10 limit throthe date equipme ntering 0.00 0.00 0.00 0.00 0.00	\$0 \$3  bughput to 125 ton the Respondent control from the site.    SO \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	s per hour. The date eased Tier I crushing one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$3 e required is the g activities and osts) \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated cost date operatio	to implement mea ns commenced an	sures designed to d the final date is the removed the e	0.00 0.10 limit throthe date equipme ntering 0.00 0.00 0.00 0.00 0.00	\$0 \$3  bughput to 125 ton the Respondent control from the site.    SO \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	s per hour. The date eased Tier I crushing one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$3 e required is the g activities and osts) \$0 \$0 \$0 \$0

Screening Date	•	Docket No. 2008-0877-AIR-E	PCW
Respondent	Big City Crushed Concrete, L.P.		Policy Revision 2 (September 2002)
Case ID No.			PCW Revision October 30, 2008
Reg. Ent. Reference No.	RN104802079		
Media [Statute]			
Enf. Coordinator			
Violation Number	4		
Rule Cite(s)		nd 116.615(2), Standard Permit General Cond	itions
	1(H) and 2(D) and Te	ex. Health & Safety § 382.085(b)	,
		spray bars on the transfer point, in the middle,	
Violation Description		cker conveyor and to limit the number of conv	
-	on-site to two. Specifically, there was a	an additional telescoping stacker conveyor on	-site.
		Base Pe	enalty \$10,000
	no 1992 Sangraw 1912 1918 1919 1919 1919 Sanga Sanga Sanga Sanga Sanga Sangraw 1918 Sanga Sanga Sanga Sanga Sa		
>> Environmental, Property an			
Release	Harm Major Moderate Minor		
OR Actual		7	
Potential	X	Percent 5%	•
	AND AND AND THE STATE OF COMPANY AND	August straig to the control of the	
>>Programmatic Matrix			
Falsification	Major Moderate Minor	Percent 0%	
		Tercent 070	
AND COMMISSIONS		posed to insignificant amounts of contaminants	that
Notes	would not exceed protective level	is as a result of the violation.	
		Adjustment \$	9,500
).			\$500
· · · · ·	•		4000
Violation Events		House Tay 1 and Tay 1	Carlos Ca
Mark Commission Commission on Printers of Control of Co			
Number of Vi	olation Events 2	Number of violation days	
-	daily		
	weekly		
	monthly		
mark only one with an x	guarterly	Violation Base Pe	enalty \$1,000
	semiannual		
	annual .		•
· ·	single event x		
	Two single events are recommen	nded for the two deficiencies.	-
			\$0
Good Faith Efforts to Comply	0.0% Reduction  Before NOV NOV to EDPF	RP/Settlement Offer	φυ
	Extraordinary		
	Ordinary		
1	N/A x (mark with x)		
	1 47 41 20 110112111 47111777		
		not most the good foith critoria for this	
		not meet the good faith criteria for this	,
	The Respondent does r	not meet the good faith criteria for this violation.	·
	The Respondent does r	violation.	itotal 91,000
	The Respondent does r		ototal \$1,000
Economic Benefit (EB) for this	Notes The Respondent does r	violation.	ototal \$1,000
AND A COURT OF SMEDISTREES AND A COURT OF SMEDIS	Notes The Respondent does noted to the Respondent does not the Respondent does	violation.  Violation Sub- Statutory Limit Test	
AND A COURT OF SMEDISTREES AND A COURT OF SMEDIS	Notes The Respondent does not	violation.  Violation Sub	

eg.

		conomic	Benefit W	orks	sheet		
Respondent	Big City Crush	ed Concrete, L.P.					Table 1 To 12 To 1
Case ID No.							
Reg. Ent. Reference No.							
Media						Lastinia de la Company	Years of
Violation No.						Percent Interest	Depreciation
Violation No.	• <b>4</b> • 14   14   15   15   15   15   15   15		a arang at raga a	er jami	, tatal caregoris .		and a second control of the second control o
[현화원 기상 변경 시간 4 House Fig. 12]		A Syrum		\$12.75		5.0	15
어려면 속사를 받아 들어 받아 있다.	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$			400			
Delayed Costs	** # N	erias <del>e</del> , gijar		4	aceana o near na		9104 FF (1)
Equipment		I I		0.00	\$0	\$0	\$0
Buildings			<del></del>	0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	-04-00 n/au4-5-00.	\$0
Record Keeping System		1		0,00	\$0	will interned to the	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a: f- ii	\$0
Other (as needed)	\$1,000	15-Feb-2008	24-Mar-2008	0.10	\$5	in/ai 🔻 🔠	\$5
Notes for DELAYED costs	end of the Kolb the date oper	erg TeleStacker co ations commenced	nveyor and to limi and the final date and removed th	it the nur e is the d e equipr	mber of conveyors late the Responder ment from the site.	nt, in the middle, or on- on-site to two. The nt ceased Tier I crus	date required is hing activities
Avoided Costs	ANN	IUALIZE [1] avoide	ed costs before e			ne-time avoided c	
Disposal		ļ		0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0 \$0	\$0 \$0
Supplies/equipment	·		· · · · · · · · · · · · · · · · · · ·	0.00	\$0 \$0	\$0 \$0	\$0
Financial Assurance [2]				0.00	\$0 \$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)		<u>                                     </u>		<u>  0.00</u>	1 40 1	Φ0 Ι	- \$U
Notes for AVOIDED costs	2 20 E						

Screening Date		Docket No. 2008-0877-AIR-E	PCW
	Big City Crushed Concrete, L.P.		Policy Revision 2 (September 2002)
Case ID No.			PCW Revision October 30, 2008
Reg. Ent. Reference No.			
Media [Statute] Enf. Coordinator			
Violation Number			
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(	a) and 116.615(2), Standard Permit General ex. Health & Safety § 382.085(b)	Condition
Violation Description	rolling 24 month period. Specific operations conducted on March 1	s of operation, including daily start and stop to cally, daily start and stop times were not reco and 17, 2008 and the stop time was not reco conducted on February 29, 2008.	orded for
		Ва	se Penalty \$10,000
>> Environmental, Property an	ıd Human Health Matrix		
	Harm	e de la companya de La companya de la companya de	
Release OR Actual		nor	
Potential		Percent 0%	
		· · · · · · · · · · · · · · · · · · ·	n in the property of the second
>>Programmatic Matrix Falsification	Major Moderate Mir	nor	
Matrix Greater than	70% of the rule requirements were t	net (non-compliance documented 3 out of 73	30 days)
Notes   Global Hall	70 % of the raic regalionions were 1	The trial compliance accumulation of car of re-	l l
		Adjustment	\$9,900
			\$100
Violation Events			
Control of the Contro		Number of violeties de	and the second section of the second
Number of Vi	olation Events 1	Number of violation da	ys
	dally		
	weekly		***************************************
mark only one	monthly quarterly	Violation Ba	se Penalty \$100
with an x	semiannual		,
	annual		
	single event x	•	
	One single event is recomme	nded for the one deficient record.	
			<u> </u>
Good Faith Efforts to Comply	0.0% Reduct		\$0
		EDPRP/Settlement Offer	
	Extraordinary Ordinary		
	N/A x (mark wit	h x)	
		pes not meet the good faith criteria for this	
reference and the second secon	Notes Notes	violation.	
		Violatio	n Subtotal \$100
Economic Benefit (EB) for this	violation	Statutory Limit Te	<b>st</b>
Estimate	d EB Amount	\$0 Violation Final Per	nalty Total \$100
	•	<del>-</del>	
	This v	iolation Final Assessed Penalty (adjusted	for limits) \$100

	t Big City Crushe	d Concrete, L.P.			,		
Case ID No							
Reg. Ent. Reference No	. RN104802079						
Media	<b>a</b> Air					Percent Interest	Years of
Violation No	. 5					reicem mieresi	Depreciation
		and the state of t	PARAMETER	7 3 5 5		5.0	15
			Fig. 1 D.4		1	<u> </u>	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	n No commas or \$	er e					
•					,.,		
Delayed Costs	S	A Mary Barber		<u> </u>		<u> </u>	
Equipment				0.00	\$0	\$0	. \$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	mar n/a sara	\$0
Record Keeping System				0.00	\$0		\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	i n/a	\$0
Permit Costs				0.00	\$0	r ≛n/a	\$0
Other (as needed)	\$25	29-Feb-2008	17-Mar-2008	0.05	\$0	n/a - w	\$0
	Estimated cost	to record the three	e missing times. T	he date	required is the dat	e of the first missing	record and the
Notes for DELAYED costs			final date is the da	te of the	last missing recor	d.	
Notes for DELAYED costs  Avoided Costs			final date is the da	te of the	last missing recor	d. one-time avoided c	osts)
Notes for DELAYED costs  Avoided Costs  Disposal			final date is the da	ntering	last missing recor	one-time avoided c	osts) \$0
Notes for DELAYED costs  Avoided Costs  Disposal  Personnel			final date is the da	ntering 0.00 0.00	item (except for a \$0	one-time avoided company \$0 \$0	osts) \$0 \$0
Notes for DELAYED costs  Avoided Costs  Disposal  Personnel Inspection/Reporting/Sampling			final date is the da	ntering	last missing recor	one-time avoided c	osts) \$0
Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment			ed costs before e	ntering 0.00 0.00 0.00	item (except for a \$0 \$0 \$0	one-time avoided c	\$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]			ed costs before e	ntering   0.00   0.00   0.00   0.00   0.00	item (except for or \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided co \$0 \$0 \$0 \$0 \$0 \$0	s0 \$0 \$0 \$0 \$0 \$0
Avoided Costs  Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]			ed costs before e	ntering 0.00 0.00 0.00 0.00	item (except for c	one-time avoided co \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Avoided Costs  Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]			ed costs before e	ntering   0.00   0.00   0.00   0.00   0.00   0.00	item (except for of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided co \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs  Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]			ed costs before e	ntering   0.00   0.00   0.00   0.00   0.00   0.00	item (except for of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided co \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs  Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]			ed costs before e	ntering   0.00   0.00   0.00   0.00   0.00   0.00	item (except for of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided co \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)			ed costs before e	ntering   0.00   0.00   0.00   0.00   0.00   0.00	item (except for of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided co \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date			Ocket No. 2008-087	7-AIR-E	PGW
•	Big City Crushed Concr	ete, L.P.		Policy F	Revision 2 (September 2002)
Case ID No.				PCV	V Revision October 30, 2008
Reg. Ent. Reference No.					
Media [Statute]					
Enf. Coordinator Violation Number					
		20.440.4454.	10 045(0) OL - I - I D		7
Rule Cite(s)	00 10M11M111 0000		16.615(2), Standard Pe th & Safety § 382.085(b	ermit General Condition )	
Violation Description	locating at the site.	Specifically, notifica	ffice in writing at least 10 tion was submitted on I days later, on February	O calendar days prior to February 6, 2008 and 15, 2008.	
				Base Penalty	\$10,000
>> Environmental, Property an	id Human Health M	atrix			
	Harm				
Release Actual	Major Modera	te Minor			
Potential			Percent	0%	
			ESEARCY SACRAT		
>>Programmatic Matrix Falsification	Major Modera	te Minor		**	a season of the majora
	x_		Percent	5%	
					1
Matrix	50% (one of	two) of the rule rea	uirements were met.		
Notes	30 /0 (0110 01	two/ or the rule req	andrights word mot		
			Adjustmer	it \$9,500	
			,		\$500
	and the second s	Windows underwood and Blanck Dock (Clinical No served win	respirately are more than a strong process, and the control of the		
Violation Events					·
Number of Vi	olation Events 1		38 Number o	of violation days	
		B		······································	
	daily				
	weekly	_			
mark only one	monthly quarterly	_		Violation Base Penalty	\$500
with an x	semiannual	=		Troising Page 7 and 19	
	annual				
	single event x				
					1
One single e	vent is recommended ba			t sufficient notification	
		(February 4, 20	08). 		
		ov bestade	National design of the second seco		\$0
Good Faith Efforts to Comply	Before N	.0% Reduction  NOV to EDPRP/S	Settlement Offer		φυ
	Extraordinary	1			
	Ordinary				
	N/A x	(mark with x)			
	Notes The Re	•	meet the good faith crite	eria for this	
				Violation Subtotal	\$500
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Economic Benefit (EB) for this	violation			ry Limit Test	<b>美国之后的重要</b> 。
Estimate	d EB Amount	\$0	Violat	tion Final Penalty Total	\$500
		Th:: -1-4*	Einel Access - Priin	ltu /adjusted for timit-\	<b>\$</b> 500
		inis violation	ı rınaı Assessed Pena	Ity (adjusted for limits)	\$500

Case ID No.							
Reg. Ent. Reference No.	RN104802079						
Media						F2: 0.00000000000000000000000000000000000	Years of
Violation No.						Percent Interest	Depreciation
Violation ivo.	·	Light Registration			Artista ya en	5.1	A 550 - 154 - 350 - 114 -
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$			1	# Pin and		
•	•						
Delayed Costs		Alexander (1984)		11111			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land [				0.00	\$0	n/all	\$0
Record Keeping System				0.00	\$0	a a min/a a a mini	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	un/aun/aun/au	\$0
Permit Costs				0.00	\$0	The Landa Hill	\$0
Other (as needed)	\$25 Estimated co	4-Feb-2008	4-Feb-2008	0.00	yriting within 10 ca	lendar days prior to I	\$0 ocating at the
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So	reening Date	28-May-2008			Docket No	2008-087	7-AIR-E		PGW
	Respondent		ed Concrete,	, L.P.					vision 2 (September 2002)
Dog Ent E	Case ID No. Reference No.							PCW	Revision October 30, 2008
	edia [Statute]								
	. Coordinator								
	iolation Number								
	Rule Cite(s)	30 Tex. Adm			d 116.615(2), s ealth & Safety §			Condition	
Viola	tion Description	Failed to prev	ent the locat		tion of a crush atch plant.	er to the san	ne site as an	y concrete	
	·					E. diameter	Ва	se Penalty[	\$10,000
>> Environmenta	ıl, Property an	id Human H	ealth Matr	ix					
	*		Harm						
OR	Release Actual	Major	Moderate	Minor	7				
	Potential				<b>]</b>	Percent	0%		
						<b>13</b>			
>>Programmatic	Matrix Falsification	Major	Moderate	ir Minor					
	T EISHICGUOTI	X	Widdorato			Percent	10%	100	
								· 	
Matrix	-		4000/ -645					- ;	
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						Adjustmen	i	\$9,000	•
								Г	\$1,000
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Violation Events									
		Ī	1	1	38	Number o	f violation da	vs ·	
****		Į		<u></u>				,-	
		daily							
***************************************		weekly		1					
	mark only one	monthly quarterly		1		,	√iolation Ba	se Penalty	\$1,000
-	with an x	semiannual						, .	
		annual		]					
		single event	X	ال					
					1				
	One single evi	ent is recomme	nded based (	on the date the (February 4, )		moved to ar	i unautnorize	ed location	
					· · · · · · · · · · · · · · · · · · ·				
Good Faith Effor	ts to Comply		0.0%	Reduction		8.767265			\$0
		Single State of the of	Before NOV		P/Settlement Offe	er 	24 - 17-24 BES H.J. 18.	IMPLEDING MAKE	
		Extraordinary							
		Ordinary							
		N/A	X	(mark with x)				1	•
		Notes	The Respo	ondent does n	ot meet the go violation.	od faith crite	ria for this		
-		•					Violatio	n Subtotai[	\$1,000
Economic Benef	it (EB) for this	violation				Statutor	y Limit Te	st	
pro-researche and a second and a second a second as second			and the second second		1	pid pignormo, dis promise ma se		_	\$1 COO
a.	Estimate	d EB Amount		\$	1	violati	ion Final Pe	naity rotal[	\$1,000
1				This violeti	on Einal Acce	seead Panal	ty (adjusted	for limits)	\$1,000
regressment communication and continue to the continue of the		CALLEGERACE AND AREA CO.	green grownstween	THIS VIOLAU	OII FIIIAI ASSE		ty (aujusteu		Charge and participate of the Carlot of

	RN104802079	,					
Media Violation No						Percent Interest	Years of Depreciation
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	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	n No commas or \$	eren e					
Delayed Costs	\$ <u> </u>				tala iya <u>s.</u>		
· Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	- i An/a	\$0
Record Keeping System				0.00	\$0	é n/a	\$0
Training/Sampling				0.00	\$0	in E out n/a → F	\$0
Remediation/Disposal				0.00	\$0	www.m/awww.	\$0
Permit Costs				0.00	- \$0	lw.(n/a	\$0
1 611111 00313						CONTRACTOR OF CONTRACTOR	
Other (as needed)				0.13 oriately loc	\$1 cated. The date r	equired is the date the	\$1 ne crusher was
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Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	Estimated commoved to an	st to ensure that the unauthorized locatio	crusher is approp n and the final da and removed th	o.13  priately locate is the case equipmentering i 0.00  0.00  0.00  0.00	\$1 cated. The date r late the Respond ent from the site.  tem (except for o \$0 \$0 \$0 \$0 \$0 \$0	equired is the date the ent ceased Tier I cru  one-time avoided co  \$0  \$0  \$0  \$0  \$0	\$1 ne crusher was shing activities  osts) \$0 \$0 \$0 \$0 \$0

### **Compliance History**

Customer/Respondent/Owner-Operator:	CN601176423	Big City Crushed Concrete,	L.P.	Classification: AVERAGE	Rating: 2.79
Regulated Entity:	RN104802079	ROCK CRUSHER SERIAL 5504		Classification: AVERAGE BY DEFAULT	Site Rating: 3.01
ID Number(s):					
Location:	1000 North MacA County), Texas	Arthur Boulevard, Grand Prair	rie (Dallas I	Rating Date: September 01 07	Repeat Violator: NO
TCEQ Region:	REGION 04 - DF	W METROPLEX			
Date Compliance History Prepared:	May 28, 2008				
Agency Decision Requiring Compliance History:	Enforcement				
Compliance Period:	May 28, 2003 to	May 28, 2008			
TCEQ Staff Member to Contact for Additional Info	rmation Regarding	this Compliance History			
Name: J. Craig Fleming	Pi	none: (512) 239-5806			
	Site Com	pliance History Compon	ents		
1. Has the site been in existence and/or operation	for the full five yea	ar compliance period?	Yes		
2. Has there been a (known) change in ownership	of the site during t	the compliance period?	No		
3. If Yes, who is the current owner?			N/A		
4. if Yes, who was/were the prior owner(s)?			N/A		
5. When did the change(s) in ownership occur?			N/A		
Components (Multimedia) for the Site:		•	19/74		
A. Final Enforcement Orders, court judgemen	ts, and consent de	ecrees of the state of Texas a	nd the fede	eral government.	
N/A	,				
1471					
B. Any criminal convictions of the state of Tex	as and the federal	government.			
C. Chronic excessive emissions events.					
N/A					
D. The approval dates of investigations. (CCE 1 05/16/2008 (641116)	DS Inv. Track. No	.)			
E. Written notices of violations (NOV). (CCED	S Inv. Track. No.)				
F. Environmental audits. N/A					
G. Type of environmental management system	ms (EMSs).				
N/A					
H. Voluntary on-site compliance assessment	dates.				
N/A					
I. Participation in a voluntary pollution reduction	on program.				
N/A					
J. Early compliance.	•				
N/A				·	
Sites Outside of Texas				,	

N/A

#### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
BIG CITY CRUSHED	§	
CONCRETE, L.P.	§	ENVIRONMENTAL QUALITY
RN104802079		

#### AGREED ORDER DOCKET NO. 2008-0877-AIR-E

#### I. JURISDICTION AND STIPULATIONS

At its	_ agenda, the Texas C	Commission on Environmental Quality
("Commission" or "TCEQ") consider	red this agreement of	the parties, resolving an enforcement
action regarding Big City Crushed Co.	ncrete, L.P. ("Big Cit	y") under the authority of Tex. WATER
CODE ch. 7 and TEX. HEALTH & SAF	ETY CODE ch. 382.	The Executive Director of the TCEQ,
represented by the Litigation Division	, and Big City, represe	ented by Erich Birch of the law firm of
Birch, Becker & Moorman, LLP, appe	ear before the Commi	ssion and together stipulate that:

- 1. Big City owns and operates portable concrete crushing plant located at 1000 North MacArthur Boulevard, Grand Prairie, Dallas County, Texas (the "Plant").
- 2. This Agreed Order is entered into pursuant to Tex. WATER CODE §§ 7.051 and 7.070. The Commission has jurisdiction of this matter pursuant to Tex. WATER CODE § 5.013 because it alleges violations of Tex. Health & Safety Code ch. 382 and TCEQ rules.
- 3. The Commission and Big City agree that the Commission has jurisdiction to enter this Agreed Order, and that Big City is subject to the Commission's jurisdiction.
- 4. Big City received notice of the violations alleged in Section II ("Allegations") on or about May 25, 2008.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Big City of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 6. An administrative penalty in the amount of five thousand six hundred dollars (\$5,600.00) is assessed by the Commission in settlement of the violations alleged in Section II

- ("Allegations"). Big City paid five thousand six hundred dollars (\$5,600.00) of the administrative penalty.
- 7. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director of the TCEQ and Big City agree on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 9. The Executive Director recognizes that Big City ceased operations of the crusher on March 24, 2008 and moved the crusher to a new location with a Tier II authorization.
- 10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Big City has not complied with one or more of the terms or conditions in this Agreed Order.
- 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

#### II. ALLEGATIONS

- 1. During an investigation conducted on March 19, 2008 through March 21, 2008, a TCEQ Dallas/Fort Worth Regional Office investigator documented that Big City violated:
  - a. 30 Tex. ADMIN. Code § 116.115(a), 116.615(2) and 116.615(9), Standard Permit General Conditions 1(I) and 1(J), and Tex. Health & Safety Code § 382.085(b) by failing to maintain the water spray system in good working condition and apply water to the fines stockpile in order to minimize emissions and failing to minimize emissions from all inplant roads.
  - b. 30 Tex. Admin. Code § 116.115(a) and 116.615(2), Standard Permit General Conditions 1(E) and 1(G), and Tex. Health & Safety Code § 382.085(b) by failing to equip conveyors with a half-moon or equivalent enclosure to minimize emissions and failing to limit opacity to 10 percent from any transfer point on belt conveyors or any screen. Specifically, opacity was documented at 39 percent during the March 19, 2008 investigation.

- c. 30 Tex. Admin. Code § 116.115(a) and 116.615(2), Standard Permit General Condition 2(B), and Tex. Health & Safety Code § 382.085(b) by failing to limit throughput to 125 tons per hour. Specifically, records provided indicated that for 162 hours, from February 15 to March 24, 2008 the average hourly throughput rate was approximately 132 tons.
- d. 30 Tex. Admin. Code § 116.115(a) and 116.615(2), Standard Permit General Conditions 1(H) and 2(D), and Tex. Health & Safety Code § 382.085(b) by failing to install permanently mounted spray bars on the transfer point, in the middle, or on the terminal end of the Kolberg TeleStacker conveyor and to limit the number of conveyors on-site to two. Specifically, there was an additional telescoping stacker conveyor on-site.
- e. 30 Tex. Admin. Code § 116.115(a) and 116.615(2), Standard Permit General Condition 1(M)(i), and Tex. Health & Safety Code § 382.085(b) by failing to maintain records of hours of operation, including daily start and stop times for a rolling 24 month period. Specifically, daily start and stop times were not recorded for operations conducted on March 1 and 17, 2008 and the stop time was not recorded for operations conducted on February 29, 2008.
- f. 30 Tex. Admin. Code § 116.115(a) and 116.615(2), Standard Permit General Condition 2(H), and Tex. Health & Safety Code § 382.085(b) by failing to notify the appropriate regional office in writing at least 10 calendar days prior to locating at the site. Specifically, notification was submitted on February 6, 2008 and the crusher was operated nine days after submitting the notification.
- g. 30 Tex. ADMIN. CODE § 116.115(a) and 116.615(2), Standard Permit General Condition 2(E), and Tex. Health & Safety Code § 382.085(b) by failing to prevent the location and operation of a crusher to the same site as any concrete batch plant.

#### III. DENIALS

Big City generally denies each allegation in Section II ("Allegations").

#### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Big City pay an administrative penalty as set forth in Section I, Paragraph 6, above. The payment of this administrative penalty and Big City's compliance with all the terms and conditions set forth in this Agreed Order resolve only the Allegations in Section II. The Commission shall not be constrained in any manner from considering or requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on

Big City Crushed Concrete, L.P. DOCKET NO. 2008-0877-AIR-E Page 4

Environmental Quality" and shall be sent with the notation "Re: Big City Crushed Concrete, L.P., Docket No. 2008-0877-AIR-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. This Agreed Order, issued by the Commission, shall not be admissible against Big City in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 3. This Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 4. Under 30 Tex. Admin. Code § 70.10(b) and Tex. Gov't. Code § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of this Agreed Order to Big City, or three days after the date on which the Commission mails notice of this Agreed Order to Big City, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

Big City Crushed Concrete, L.P. DOCKET NO. 2008-0877-AIR-E Page 5

Authorized representative of Big City Crushed Concrete, L.P.

#### SIGNATURE PAGE

#### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission		
Harzum Perlin	9/2/2009	
For the Executive Director	Date	
I, the undersigned, have read and understand authorized to agree to the attached Agreed Orde signature, and I do agree to the terms and condition TCEQ, in accepting payment for the penalty and	er on behalf of the entity, if any, indictions specified therein. I further acknow	cated below my owledge that the
I also understand that my failure to comply with Big City's failure to timely pay the penalty amo	. • • • • • • • • • • • • • • • • • • •	nis order and/or
A negative impact on Big City's compli	ance history;	
Greater scrutiny of any permit application		<b>'</b> :
• Referral of this case to the Attorney		junctive relief,
additional penalties, and/or attorney fees	•	N.T
• Increased penalties in any future enforce		1:
<ul> <li>Automatic referral to the Attorney Gener Big City; and</li> </ul>	al's Office of any future enforcement	actions against
<ul> <li>TCEQ seeking other relief as authorized</li> </ul>	hy low	
TCDQ seeking other rener as authorized	by law.	
In addition, I understand that any falsification of	f any compliance documents may re-	sult in criminal
prosecution		
Multis	7/30/09 Date	
Signature	Date	
Masen C. Brown III  Name (Printed or typed)	V.P.	
Name (Printed or typed)	Title	